

81-92

BILL NO. _____

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COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 81-92Introduced by Councilwoman Risacher and Council President Hardwicke
at the request of the County Executive

Special

Legislative Day No. 81-35Date November 19, 1981

AN EMERGENCY ACT authorizing and empowering Harford County, Maryland, to issue and sell its industrial development revenue bonds, to be designated "Harford County, Maryland Industrial Development Revenue Bonds (Edgewood Heights Apartments Project) Series A", in a principal amount not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) pursuant to the provisions of Section 266A to 266I, inclusive of Article 41 of the Annotated Code of Maryland (1978 Repl. Vol. 1981 Cum. Supp.), as amended, for the sole and exclusive purpose of financing the acquisition of an industrial building in Harford County, Maryland, pursuant to the provisions of Section 103(b)(A) of the Internal Revenue Code of 1954, as amended, as provided in this Ordinance; making certain legislative findings among others, concerning the public benefit and purpose of such industrial development revenue bonds; providing that such industrial development revenue bonds (a) shall be payable solely and only from (i) revenue derived from payments by Hab Baker, III, to Harford County, Maryland, on account of the subsequent sale of the Industrial Building to Hab Baker, III, and (ii) any and all monies realized from the sale of the collateral as described herein, and (b) shall not constitute, within the meaning of any constitutional or Charter provision or otherwise,

By the Council, November 19, 1981

Introduced, read first time, ordered posted and public hearing scheduled

on: December 15, 1981at: 7:30 P.M.By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 15, 1981 and concluded on December 15, 1981.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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BILL NO. _____

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. _____

Introduced by _____

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(i) indebtedness of Harford County, Maryland, or of any other political subdivisions, (ii) a charge against the general credit or taxing powers of Harford County, Maryland or (iii) a capital project under the Charter or local laws of Harford County, Maryland, or laws of the State of Maryland; authorizing the private (negotiated) sale of such industrial development revenue bonds; prescribing certain details pertaining to such industrial development revenue bonds, including without limitation, (a) the amount, date and maturity of such industrial development revenue bonds, (b) the interest rate to be paid on such industrial development revenue bonds, (c) the prepayment provisions, if any, relating to such industrial development revenue bonds, (d) the form and tenor of such industrial development revenue bonds and (e) the terms, conditions and security for such industrial development revenue bonds; and providing for approval by resolution of the Harford County Council of the form and contents and authorizing the execution and delivery of the various documents necessary or appropriate to effectuate the aforementioned sale of industrial development revenue bonds, and any change in the maturity schedule of the bonds, the interest rates payable, redemption feature of the Bonds and the

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____ and concluded on _____.

_____, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. _____

Introduced by _____

Legislative Day No. _____ Date _____

amount of the industrial development revenue bonds to be sold (not exceeding \$1,600,000); authorizing the execution of the statement of election required by Section 103(b)(6)(D) of the Federal Internal Revenue Code of 1954, as amended; and providing for the method(s) for determining the principal amount of the bonds not exceeding \$1,600,000, payment dates, maturity schedule, interest rates, prepayment penalties, denomination of bonds and the terms, conditions and security of documents necessary or appropriate in connection with the bonds and/or the security therefor, pursuant to resolution(s) approved by the Harford County Council and generally providing for and determining various matters in connection with the authorization, security, sale, and payment of such industrial development revenue bonds, indicating that this Ordinance has no financial impact on Harford County and further declaring this Ordinance to be an emergency measure.

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____ and concluded on _____.

_____, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Bracketed] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. **81-92**

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COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND
BILL NO. 81-92

Special Legislative Session Day 31-35 Date: November 19, 1981

BE IT ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY,
MARYLAND, THAT Harford County, Maryland is hereby authorized and
empowered to issue and sell its industrial development revenue
bonds to be designated "Harford County, Maryland Industrial
Development Revenue Bonds (Edgewood Heights Apartments Project)
Series A", in the principal amount not exceeding One Million
Six Hundred Thousand Dollars (\$1,600,000), pursuant to the
provisions of Section 266A to 266I, inclusive, of Article 41 of
the Annotated Code of Maryland (1978 Repl. Vol., 1981 Cum. Supp.),
as amended, for the sole and exclusive purpose of
financing the acquisition by Harford County, Maryland of an
industrial building in Harford County, Maryland pursuant to the
provisions of Section 103(b)(4)(A) of the Internal Revenue Code
of 1954, as amended, as provided in this Ordinance; making certain
legislative findings, among others, concerning the public benefit
and purpose of such industrial development revenue bonds;
providing that such industrial development revenue bonds (a) shall
be payable solely and only from (i) revenues derived from
payments by Hab Baker, III, to Harford County, Maryland, (ii) any
and all monies realized from the sale of collateral and
(iii) any other funds available for such purpose and (b) shall
not ever constitute, within the meaning of any constitutional
or charter provision or otherwise, (i) an indebtedness of Harford
County, Maryland, or of any other political subdivision (ii) a
charge against the general credit or taxing powers of Harford
County, Maryland; authorizing the private (negotiated) sale of

1 such industrial development revenue bonds; prescribing certain
2 details pertaining to such industrial development revenue bonds,
3 including, without limitation, (a) that the amount, dates and
4 maturity schedule of such industrial development revenue bonds,
5 the interest rate to be paid on such industrial development
6 revenue bonds, the prepayment penalty provision, if any, relating
7 to such industrial development revenue bonds, the denomination
8 of the bonds, the terms, conditions and security for such
9 industrial development revenue bonds, including the authorization,
10 execution and delivery of the various documents necessary or
11 appropriate in connection with such industrial development revenue
12 bonds shall be approved by resolution of the Harford County
13 Council, and (b) the form and tenor of such industrial development
14 revenue bonds; authorizing the execution of the statement of
15 election required by Section 103(b)(6)(D) of the Federal Internal
16 Revenue Code of 1954, as amended; and generally providing for
17 and determining various matters in connection with the authoriza-
18 tion, issuance, security, sale and payment of such industrial
19 development revenue bonds; and providing for the method(s) for
20 determining the principal amount of the bonds not exceeding
21 \$1,600,000, payment dates, maturity schedule, interest rates,
22 prepayment penalties, denomination of bonds and the terms, con-
23 ditions and security for the bonds including authorization,
24 execution and delivery of documents necessary or appropriate in
25 connection with the bonds and/or the security therefor, pursuant
26 to resolution(s) approved by the Harford County Council.

RECITALS

Sections 266A to 266I, inclusive, of Article 41 of the Annotated Code of Maryland (1978 Repl. Vol., 1981 Cum. Supp.) as amended, (the "Act") empowers all the Counties and Municipalities of the State of Maryland to issue revenue bonds for the acquisition (as defined in the Act) of an industrial building (as defined in the Act) for subsequent sale or lease to an industrial concern (as defined in the Act). The Act declares it to be the legislative purpose to relieve conditions of unemployment in the State, to encourage the increase of industry and a balanced economy in the State, to assist in the retention of existing industry in the State through the control, reduction or abatement of pollution of the environment (where the proceeds of bonds are used for that purpose), to promote economic development, to promote natural resources and, in this manner, to promote the health, welfare and safety of the residents of each of the Counties and Municipalities of the State of Maryland.

Harford County, Maryland (the "County") has determined to issue and sell its Harford County, Maryland Industrial Development Bonds (Edgewood Heights Apartments Project) Series A, in an amount not exceeding \$1,600,000 (the "Bonds") and to use the proceeds of the Bonds for the acquisition of an industrial building (within the meaning of the Act) (the "Industrial Building") from Richard E. Rudolph (the "Owner") on the terms and conditions set forth in agreements to be entered into by and between the County, the Owner and others (the "Purchase Agreements"), as provided by this Ordinance and in resolutions to be passed from time by the County Council of Harford County, Maryland for the subsequent sale of the Industrial Building to Rab Baker, III, an individual residing in Hampton, Virginia (the "Industrial Concern") on the terms and conditions set forth in agreements to

1 be entered into by and between the County, the Industrial
2 Concern and others (the "Sale Agreements"), as provided by this
3 Ordinance and in Resolutions to be passed from time to time by
4 the County Council of Harford County, Maryland and thereby
5 relieve conditions of unemployment in the State of Maryland
6 and in Harford County, Maryland, and thus encourage economic
7 development and protect the health, welfare and safety of the
8 citizens of the State of Maryland and Harford County, Maryland.

9 The County conditions the issuance of the Bonds upon
10 the pledge and covenant of the Industrial Concern to expend an
11 additional \$500,000 on the renovation and improvement of the
12 Industrial Building in accordance with the terms and conditions
13 set forth in Exhibit 1 attached hereto.

14 The County further conditions the issuance of these Bonds
15 upon the pledge and covenant of the Industrial Concern to
16 maintain the Industrial Building pursuant to the requirements of
17 Section 103(b)(4) of the Internal Revenue Code of 1954, as
18 amended.

19 The Bonds will be sold at private (negotiated) sale to
20 the Owner and will be payable solely from the Receipts and
21 Revenues paid to the County by the Industrial Concern pursuant
22 to the Sale Agreements and the Purchase Agreements.

23 The Owner will execute and deliver or cause to be
24 executed and delivered (a) a special warranty deed conveying the
25 Industrial Building to the County; (b) and such other Purchase
26 Agreements as may be necessary or appropriate to accomplish the
27 foregoing and to indicate that the issuance and sale of the Bonds
28 and the execution and delivery of the Purchase Agreements and
29 Sale Agreements are to be without any liability of any kind on
30 the part of the County.

31 The County received a letter of intent from the
32

1 Industrial Concern dated October 12, 1981 (the "Letter of Intent")
2 requesting the County to participate in the financing of the
3 acquisition of the Industrial Building in an amount not to
4 exceed \$1,500,000, as generally described above. The Letter of
5 Intent was approved by the County Council of Harford County,
6 Maryland (the "County Council") by Resolution Number 50-81,
7 adopted on October 13, 1981 and accepted by the County Executive
8 and the President of the County Council on October 13, 1981
9 subject to the adoption of this Ordinance.

10 NOW, THEREFORE, in accordance with the terms and
11 provisions of the Act and the Charter of Harford County, Maryland:

12 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF
13 HARFORD COUNTY, MARYLAND that, acting pursuant to the Act, it is
14 hereby found and determined as follows:

15 1. The issuance and sale of the Bonds by the County for
16 the acquisition of the Industrial Building (within the meaning of
17 the Act) pursuant to the Act will facilitate and expedite the
18 acquisition of the Industrial Building by the Industrial Concern.
19 The Industrial Building will consist of the Edgewood Heights
20 Apartments Complex, containing land (described in Exhibit 2
21 attached hereto) improved by one-story, concrete block, residential
22 apartments, 14,000 square feet of warehouse space and open
23 space which will be developed to provide additional units of
24 multi-family housing.

25 2. The acquisition of the Industrial Building by the
26 County and the subsequent sale of the Industrial Concern as
27 provided in this Ordinance will promote the declared legislative
28 purposes of the Act by (a) sustaining jobs and employment, thus
29 relieving conditions of unemployment in the State of Maryland and
30 in Harford County, Maryland; (b) encouraging the increase of
31 industry and a balanced economy in the State of Maryland and in
32 Harford County; Maryland (c) assisting in the retention of

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1 existing industry in the State of Maryland and in Harford County,
2 Maryland; (d) promoting economic development; and (e) promoting
3 the health, welfare and safety of the residents of Harford
4 County, Maryland, and in the State of Maryland; and it is further
5 declared that an emergency exists in the County with respect to
6 a need for housing for persons of low or moderate income and a
7 need to increase economic and industrial development.

8 3. It is in the best interests of the citizens of the
9 County to finance the acquisition of the Industrial Building by
10 a purchase by the County and subsequent sale of the Industrial
11 Building to the Industrial Concern.

12 4. Neither the Bonds nor the interest thereon will
13 constitute (a) a general obligation of the County or (b) a
14 charge against or pledge of the general credit or taxing powers
15 of the County within the meaning of the Constitution of Maryland
16 or any constitutional, statutory or charter provision or limita-
17 tion, and neither shall ever constitute or give rise to any
18 pecuniary liability on the part of the County. The principal of
19 and interest on the Bonds shall be payable solely from payments
20 made by the Industrial Concern to the County pursuant to the
21 sale of the Industrial Building to the Industrial Concern and
22 secured by (a) an assignment of the revenues realized and the
23 collateral pledged under the Purchase Agreements and Sale Agree-
24 ments; and (b) such other Agreements as may be necessary or
25 appropriate. The principal amount of the Bonds and the
26 repayments to be made by the Industrial Concern pursuant to the
27 Sale Agreements authorized will be paid to an escrow agent as
28 agent for the holders of the Bonds ("Agent"). No such monies
29 will be comingled with the County's funds or will be subject
30 to the control of the County. The transactions authorized hereby
31 do not constitute the acquisition of property for public use or the
32 purchase of equipment for public use. The public purposes expressed

1 in the Act are to be achieved by facilitating the acquisition
2 of the Industrial Building by the County solely for subsequent
3 sale to the Industrial Concern.

4 5. The security for the Bonds shall be solely and
5 exclusively (a) the absolute, irrevocable and unconditional
6 obligation of the Industrial Concern to make the payments required
7 by the Sale Agreements and (b) monies realized from any and all
8 collateral (including the Industrial Building) pledged as
9 security for the Sale.

10 6. None of the receipts and revenues of the County from
11 the Bonds or the Agreements shall be set aside as a depreciation
12 account (mentioned in the Act).

13 7. The best interests of the County will be served by
14 selling the Bonds to the Owner at private (negotiated) sale,
15 as authorized by the Act upon the terms and conditions approved
16 by the County as set forth in this Ordinance.

17 Section 2. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL
18 OF HARFORD COUNTY, MARYLAND that subject to the provisions of
19 this Ordinance, the County is authorized and empowered, pursuant
20 to the Act, to issue and sell its Harford County, Maryland
21 Industrial Development Revenue Bonds (Edgewood Heights Apartment
22 Project) Series A, in a principal amount not to exceed One
23 Million Six Hundred Thousand Dollars (\$1,600,000), such Bonds to
24 be solely and exclusively payable from revenue derived by the
25 County from payments pursuant to the Sale Agreements by the
26 Industrial Concern, and secured as provided herein. The Bonds
27 shall be designated "Harford County, Maryland Industrial
28 Development Revenue Bonds (Edgewood Heights Apartment Project)
29 Series A", shall bear interest and be payable as provided in
30 subsequent administrative resolutions approved by the Harford
31 County Council, and shall be in substantially the form as may be
32 approved by administrative resolutions of the Harford County
33 Council.

1 Section 3. BE IT FURTHER ENACTED BY THE COUNTY
2 COUNCIL OF HARFORD COUNTY, MARYLAND, that, in consideration
3 of the purchase and acceptance of the Bonds by those who
4 shall hold the same from time to time, (i) this Ordinance
5 shall be deemed to be and shall constitute a contract between
6 the County and the holder from time to time of the Bonds; and
7 (ii) the agreements described herein and the covenants to be
8 performed by or on behalf of the County shall be for the
9 benefit, protection and security of the holder of the Bonds.

10 Section 4. BE IT FURTHER ENACTED BY THE COUNTY
11 COUNCIL OF HARFORD COUNTY, MARYLAND that simultaneously
12 with the issuance and sale of the Bonds, the County will,
13 pursuant to the terms of the Purchase Agreements and the Act,
14 cause the proceeds of sale thereof to be applied to the acquisition
15 of the Industrial Building in accordance with the provisions
16 of the Act, this Ordinance and the Resolutions.

17 Subsequent to such acquisition the County will,
18 pursuant to the Sale Agreements, deliver a quit claim
19 deed to Hab Baker, III, conveying the Industrial Building
20 subject to the terms and conditions set forth in the
21 Purchase Agreements, the Sale Agreements, in accordance with
22 the provisions of the Act, this Ordinance and the Resolutions.

23 Section 5. BE IT FURTHER ENACTED BY THE COUNTY
24 COUNCIL OF HARFORD COUNTY, MARYLAND that, the County covenants
25 that it will promptly pay the principal of and interest on the
26 Bonds and premium, if any, at the place, on the dates and in
27 the manner provided in this Ordinance and in the Bonds according
28 to their true intent and meaning; provided that the Bonds,
29 together with interest thereon, shall be the limited obligation
30 of the County payable solely from the monies derived from (a)
31 the Sale Agreements and the sale of any collateral pledged
32 thereunder, and (b) all other security referred to in this

1 Ordinance, and shall be a valid claim of the holder thereof
2 only against such monies, which monies shall be used for no
3 other purpose than to pay the principal of and interest on the
4 Bonds and expenses authorized by the Act (except as may be
5 otherwise expressly authorized in this Ordinance). Neither
6 the Bonds nor the interest payable thereon shall ever constitute
7 an indebtedness or a charge against the general credit or taxing
8 powers of the County within the meaning of any constitutional
9 or charter provision or statutory limitation and neither shall
10 ever constitute or give rise to any pecuniary liability of the
11 County.

12 Section 6. BE IT FURTHER ENACTED BY THE COUNTY
13 COUNCIL OF HARFORD COUNTY, MARYLAND that, payment of the Bonds
14 and the interest thereon shall be made to the registered owner
15 thereof by the Agent. All payments of principal, interest and
16 other charges required by this Ordinance or the Bonds shall
17 be made to the Agent at the address to be set forth in the
18 Sale Agreements, in immediately available funds. Interest on
19 the Bonds shall be calculated on the basis of a 360-day year
20 factor to be applied to actual days elapsed. If any principal
21 and/or interest payment on the Bonds falls due on a Saturday,
22 Sunday or public holiday at the place of payment thereof,
23 then such date shall be extended to the next succeeding full
24 banking day at such place.

25 When the principal of and interest on the Bonds shall
26 have been fully paid, the Bonds shall forthwith be surrendered
27 to the Bond Registrar for cancellation.

28 Section 7. BE IT FURTHER ENACTED BY THE COUNTY
29 COUNCIL OF HARFORD COUNTY, MARYLAND that, the Bonds shall be
30 registered as to both principal and interest pursuant to the
31 requirements of Section 103(b)(4) of the Federal Revenue Code
32 of 1954, as amended. The Agent shall serve as Bond Registrar,

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1 and it shall keep at its principal office, for so long as the
2 Bonds remain outstanding, books for the registration and trans-
3 fer of the bonds.

4 The Bonds shall be transferable only upon the books
5 maintained by the Bond Registrar by the registered owner
6 thereof in person or by his attorney duly authorized in
7 writing, upon surrender thereof together with a written instru-
8 ment of transfer satisfactory to the Bond Registrar duly
9 executed by the registered owner or his duly authorized attorney.

10 The County, the Agent and the Bond Registrar may deem
11 and treat the person in whose name the Bonds shall be registered
12 as the absolute owner of the Bonds, whether the Bonds shall be
13 overdue or not, for the purpose of receiving payment of, or
14 on account of, the principal of and interest on the Bonds and
15 for all other purposes, and all such payments so made to
16 such registered owner or upon his order shall be valid and
17 effectual to satisfy and discharge the liability upon the
18 Bonds to the extent of the sum or sums so paid, and neither
19 the County nor the Agent nor the Bond Registrar shall be
20 affected by any notice to the contrary.

21 The Bonds shall be in the denomination of Five
22 Thousand Dollars (\$5,000) each or in such other denomination
23 as may be approved in the Resolution(s) adopted by the
24 Harford County Council.

25 Section 8. BE IT FURTHER ENACTED BY THE COUNTY
26 COUNCIL OF HARFORD COUNTY, MARYLAND that, the County intends
27 to assist in the financing of the Industrial Building by the
28 acquisition of the Industrial Building by the County in an
29 amount not to exceed One Million Six Hundred Thousand Dollars
30 (\$1,600,000) as described generally in the Letter of Intent,
31 by authorizing the issuance and sale of the Bonds pursuant to
32 the Act, and by using the proceeds thereof for the purposes

1 described in this Ordinance, pursuant to agreements and other
2 documents as may be approved by Resolutions adopted by the
3 Harford County Council. This Ordinance is expressly
4 conditioned on the pledges and covenants of the Industrial
5 Concern (a) to expend not less than \$500,000 on the renovation
6 and improvement of the Industrial Building, as set forth in
7 Exhibit 1, (b) to maintain the Industrial Building pursuant to
8 the requirements set forth in Section 103(b)(4) of the Internal
9 Revenue Code of 1954, as amended and (c) to pay the sum of
10 \$500,000 to an agent in form and substance satisfactory to
11 the Director of Planning of the County, to provide the funds
12 necessary to make the renovations and improvements described
13 in Exhibit 1.

14 Section 10. BE IT FURTHER ENACTED BY THE COUNTY
15 COUNCIL OF HARFORD COUNTY, MARYLAND that, the execution and
16 delivery of the Bonds, the Purchase Agreements, and all other
17 documents necessary to evidence and secure the Bonds and all
18 such Agreements are hereby authorized. The Bonds and all other
19 Agreements shall be executed on behalf of the County by the
20 County Executive of the County by his signature, and the
21 corporate seal of the County shall be impressed or otherwise
22 reproduced thereon and attested by the Director of Administra-
23 tion of the County by his manual signature. In case any
24 officer whose signature shall appear on the Bonds or any of the
25 aforesaid documents shall cease to be such officer before the
26 delivery of the Bonds or any of the other documents aforesaid,
27 such signature shall nevertheless be valid and sufficient for
28 all purposes, the same as if such officer had remained in
29 office until delivery. The County Executive, the Director of
30 Administration and other officials of the County shall do all

1 such acts and things and execute such supporting documents and
2 certificates as may be necessary to carry out and comply with
3 the provisions hereof, including, but not limited to, the
4 Statement of election required by Section 103(b)(6)(D) of
5 the Internal Revenue Code of 1954, as amended. Before the
6 execution and delivery of the Bonds by the County Executive,
7 the County shall have received a certificate signed by the Owner
8 and satisfactory to counsel for the County stating that (a) the
9 Owner has purchased the Bond in consideration for the sale of
10 the Industrial Building and not with a view to redistribute the
11 same to the general public, and (b) the Owner has not relied
12 upon the County or its agents for or received from the County
13 or its agents any information concerning the financial condition
14 or other information of the Industrial Concern.

15 Section 11. BE IT FURTHER ENACTED BY THE COUNTY
16 COUNCIL OF HARFORD COUNTY, MARYLAND that, the provisions of
17 this Ordinance are severable, and if any provision, sentence,
18 clause, section or part thereof is held illegal, invalid or
19 unconstitutional or inapplicable to any person or circumstances,
20 such illegality, invalidity, unconstitutionality or
21 inapplicability shall not affect or impair any of the remaining
22 provisions, sentences, clauses, sections, or parts of this
23 Ordinance or their application to other persons or circumstances.
24 It is hereby declared to be the legislative intent that this
25 Ordinance would have been passed if such illegal, invalid or
26 unconstitutional provisions, sentence, clause, section or part
27 had not been included herein, and if the person or circumstances
28 to which this Ordinance or any part hereof are inapplicable had
29 been specifically exempted herefrom.

30 Section 12. BE IT FURTHER ENACTED BY THE COUNTY
31 COUNCIL OF HARFORD COUNTY, MARYLAND that, the County Council
32 of Harford County, Maryland, by administrative resolution, may

1 change the amount of Bonds to be sold but not in excess of
2 One Million Six Hundred Thousand Dollars (\$1,600,000), provide
3 for the maturity schedule of the Bonds, the interest payable
4 on the Bonds, the date of the Bonds, the dates of payment of
5 interest and principal on the Bonds, provide for prepayment
6 provisions with respect to payment of the Bonds prior to their
7 maturity and provide for the execution of any and all agreements
8 necessary or appropriate to accomplish the issuance and sale of
9 the Bonds, in the manner herein described or in any other manner
10 consistent with Sections 266A to 266I, inclusive, of
11 Article 41 of the Annotated Code of Maryland (1978 Repl.
12 Vol., 1981 Cum. Suppl), so long as the County has no pecuniary
13 liability with respect to the payment of principal and interest
14 on the Bonds.

15 Section 13. BE IT FURTHER ENACTED BY THE COUNTY
16 COUNCIL OF HARFORD COUNTY, MARYLAND that, all expenses of
17 the County, including the expenses of private attorneys
18 employed by the County in connection with the issuance and
19 sale of the Bonds shall be paid by the Industrial Concern.

20 Section 14. BE IT FURTHER ENACTED BY THE COUNTY
21 COUNCIL OF HARFORD COUNTY, MARYLAND that, the Industrial
22 Building and the sale of the Bonds therefor shall not constitute
23 a capital project within the meaning of the Harford County
24 Charter or Code.

25 Section 15. BE IT FURTHER ENACTED BY THE COUNTY
26 COUNCIL OF HARFORD COUNTY, MARYLAND that, the Industrial Concern
27 shall pay or make arrangements for the payment of any taxes,
28 assessments or charges which may be lawfully levied, assessed
29 or charged against the Industrial Building and the land
30 underlying the Industrial Building, or, in the event such
31 charge may not be made due to ownership of legal title by
32 the County, the Industrial Concern agrees to make payments to or

1 make arrangements for the payment to the County of amounts
2 equal to taxes which the County would otherwise have the right
3 to assess.

4 Section 16. BE IT FURTHER ENACTED BY THE COUNTY
5 COUNCIL OF HARFORD COUNTY, MARYLAND that, an appropriate
6 indemnity, defense and hold harmless agreement shall be
7 executed by both the Owner and the Industrial Concern, in form
8 and substance satisfactory to counsel for the County, as
9 provided in the Letter of Intent, prior to the issuance of the
10 Bonds.

11 Section 17. BE IT FURTHER ENACTED BY THE COUNTY
12 COUNCIL OF HARFORD COUNTY, MARYLAND that, the Bonds, when issued,
13 shall be executed in the name of Harford County, Maryland, by
14 the facsimile or manual signature of the County Executive
15 of Harford County, Maryland, and a facsimile of the corporate
16 seal of the County shall be imprinted on each of the Bonds
17 attested by the manual signature of the Director of
18 Administration of Harford County. The facsimiles of said
19 signature and said seal shall be engraved, printed or
20 lithographed on each of the Bonds in accordance with and
21 pursuant to the authority of Section 13-18, inclusive,
22 of Article 31 of the Annotated Code of Maryland (1976 Repl.
23 Vol., 1981 Supp.).

24 Section 18. BE IT FURTHER ENACTED BY THE COUNTY
25 COUNCIL OF HARFORD COUNTY, MARYLAND, that the Bonds must be
26 issued and sold within six (6) months from the date on which
27 this Ordinance becomes law; provided, however, that the County
28 Council after a showing of good cause after a public hearing
29 held before the County Council prior to or after the expiration
30 of such six (6) month period, may extend the period during
31 which the Bonds may be issued and sold for such additional terms
32 not to exceed six (6) months from the date on which the first

1 six (6) month period expired. The County Council, in its
2 sole discretion, shall determine the sufficiency, or lack
3 thereof, of the reasons presented for any requested extension
4 of the six (6) month period. If an extension is granted, notice
5 of such extension and the reasons therefor must be sent to the
6 County Executive. If the Bonds are not issued and sold within
7 said six (6) month period or any approved extension thereof,
8 the authority provided in this Ordinance for the County to issue
9 and sell the Bonds shall expire.

10 Section 19. BE IT FURTHER ENACTED BY THE COUNTY
11 COUNCIL OF HARFORD COUNTY, MARYLAND that, this Ordinance has
12 no financial impact on Harford County, Maryland and, therefore,
13 there is no requirement for a fiscal impact note.

14 Section 20. BE IT FURTHER ENACTED BY THE COUNTY
15 COUNCIL OF HARFORD COUNTY, MARYLAND that, this Ordinance is
16 declared to be an emergency measure affecting the public
17 health, safety or welfare and shall take effect on the date it
18 becomes law.

19
20 EFFECTIVE: January 6, 1982

21 The Secretary of the Council
22 does hereby certify that fifteen
23 (15) copies of this Bill are
24 immediately available for
distribution to the public and
the press.

25 
26 Secretary

At closing of the sale of Edgewood Apartments, \$500,000.00 will be funded from bonds issued by Harford County and sold to a private lender. The \$500,000.00 will be used by Mr. Baker to accomplish repairs and buy equipment as set out below.

To be accomplished by Harford County:

The government of Harford County, Maryland will resurface the streets interior to the southern portion of the project as it presently exists, and install curb and gutter and sidewalks.

To be accomplished by Mr. Baker:

Exterior Repairs and Replacements:

1. Roofing: Replace roll roofing with shingles; repair other roofs as necessary; replace roof sheathing as required.
2. Exterior Carpentry:
 - a. Repair and replace fascia boards, soffitts, rake boards and gable woodwork as required.
 - b. Replace wooden steps with concrete steps.
 - c. Replace window and door moldings and/or door units and window units as required.
3. Exterior Walls:
 - a. Sandblast exterior walls, to be able to apply stucco.
 - b. Apply stucco in skip-trowel pattern. "Block-bond" or similar material will be used for stucco, to remedy structural defects caused by cracking.
 - c. Paint buildings in pastel colors, varying colors from building to building, match with roof color where possible.
 - d. Paint exterior moldings a contrasting color.
4. Install gutters and downspouts.
5. Install visqueen ground cover under all buildings built on a crawl space.
6. Install crawl space access doors.
7. Crumbling lintels will be replaced in conjunction with stucco applications.

Interior Repairs and Replacements:

In Mr. Baker's judgement, interior repairs and replacements (with the exception of electrical work and floor repairs) should be secondary to exterior repairs and replacements and grounds work as the interiors of most of the units have been maintained in fair to good condition by Mr. Rudolph over the years. The balance of the \$500,000 after

required exterior work and grounds work will be used for interior repairs and replacements to the extent possible.

1. Electrical work: Replace present 30-ampere services with 100-ampere services in all units except 1-bedroom units, which will have 60-amp services. Surface-mounted outlets will be replaced with flush-mounted outlets. Each apartment will have outlets for an electric stove, electric water heater and exterior heat pump unit installed. Overtime, as the various components need replacing they will be replaced as follows:
 - gas space heaters: replace with through the wall heat pump units, providing heating and air conditioning for tenants at reduced cost.
 - cook stove: replace with drop-in electric range w/ continuous clean ovens.
 - water heaters: replace with electric water heaters w/ timers.

Discussion of 1.:

As the various elements are replaced, the tenants will bear the increased utility costs as the changeover is made from gas to electricity. However, this will not result in an increased housing expense in real dollars for the tenants, as rents will be adjusted downward to reflect the increased utility costs. The changeover will actually allow a decrease in real dollar housing expense, because the heat pump and electric water heaters will be more efficient than the existing equipment. An added bonus for the tenants will be cleaner air, more usable floor space, and reduced fire hazard.

2. Floor replacement: Some of the floor structures in the crawl space buildings must be replaced. Replacement floors will be #2 SYP with $\frac{1}{2}$ plywood and particle board overlay. Wood in contact with masonry will be salt-treated.

3. Cabinets and sinks: One of the main shortcomings of the apartments is the lack of cabinet space. As possible within budget, existing cabinet and sink units would be replaced with formica cabinets and double-bowl stainless steel sinks with a disposal and spray unit, with formica counter tops.

4. Other interior work: Other interior work will be accomplished as possible within a budget of \$500,000.00.

Grounds Work:

The appearance of the grounds at Edgewood Heights Apartments requires major improvements. Curb and gutter and street resurfacing will help tremendously. Trash container locations should be consolidated to fewer locations, and larger containers should be used. The containers should be screened with fencing as much as possible.

The present grounds maintenance policy produces a seedy, patch-work appearance, because each tenant is responsible for his own yard. Some keep it up, some don't, and the mowing is done on an irregular basis. Instead, the owner's maintenance men should do all mowing. Weedeaters should be used extensively, to eliminate the unsightly weeds that now infest every spot adjacent to vertical surfaces.

A playground area should be provided, to concentrate more of the play activity away from lawn areas, to give the grass more of a chance to grow. There is adequate land area for such a purpose.

Presently, there is a drainage ditch which runs through a central-park-like area. Mr. Baker proposes to dig a shallow, irregularly-shaped pond which will be kept filled by run-off, and surround it with

benches and picnic tables. The park and the play area will provide a modicum of amenities for the tenants.

Depending on the costs of other improvements, it may be possible to install a basketball court, and a tennis court, although these would have lowest priority.

The ground contour should be reshaped in some locations to provide for better drainage away from the buildings. Reshaping the contour will also assist in grass replanting where required, and will help in directing runoff to the pond.

Demolition

A large part of the existing warehouse buildings will be demolished. The use of the balance of the buildings will consolidate as follows:

1. Maintenance facilities-consolidate into one building, sell off unnecessary inventory, get rid of trash. The building selected will be as far as possible from the residential area.
2. Rental Office-Eliminate the present location and provide an attractive, well-furnished model apartment near the front entrance to the project. The model apartment will provide living quarters for the resident manager and will also double as the rental office.
3. Laundry Facility-A clean well-lighted laundry facility will be provided in one of the present warehouse buildings. The laundry facility will include washers, dryers, laundry sinks, tables and chairs, and dollar bill changers.

BOOK 7 PAGE 293
BY THE COUNCIL

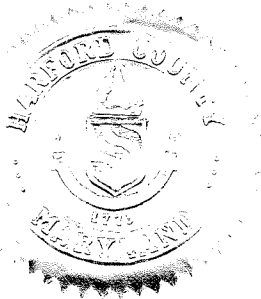
Read the third time, BILL NO. 81-92

Passed LSD 81-38 (December 15, 1981) ~~with amendments~~
~~Order of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 16th day of December, 1981
at 3:00 o'clock P.M.



Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas G. Brange
County Executive

Date 1/6/82

BY THE COUNCIL

This Bill (No. 81-92), having been approved by the Executive
and returned to the Council, becomes law on January 6, 1982.

Angela Markowski, Secretary

Rec'd & Recorded 4/26 1982 at 2:00 P.M.
HDC Liber 7 Folio 27 & examined per
H. Douglas Chilcoat, Clerk, Harford Co.

EFFECTIVE DATE: January 6, 1982